

REMARKS

I. Information Disclosure Statement

The Examiner has not returned a signed copy of the Form PTO/SB/08 filed with Applicants' Information Disclosure Statement of August 18, 2004. The Examiner is respectfully requested to return an initialed and dated copy of the Form with the next PTO communication.

II. Response to Rejection under 37 C.F.R. § 103(a)

At page 3 of the Office Action, claims 1, 4-8, 11 and 12 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ueda et al (U.S. Pat. No. 5,045,553) in view of Woo et al (U.S. Pat. No. 6,455,067).

Applicants respectfully traverse the rejection for at least the following reasons.

Woo et al discloses an external patch specifically for a nonsteroidal anti-inflammatory drug (Abstract; col. 2, lines 34-36). On the other hand, Ueda et al discloses a patch preparation for a dihydropyridine compound as an active ingredient.

Applicants respectfully submit that the dihydropyridine compound disclosed in Ueda et al is not a nonsteroidal anti-inflammatory drug as required in WOO et al and thus that one of ordinary skill in the art would not have been motivated to combine the references.

Further, in Ueda et al., polyvinyl acetate-acrylic acid copolymer was used in the drug formulation, not as the support. In contrast, the patch of the present invention is obtained by using the polyvinyl acetate-acrylic acid copolymer as the support. The support of the present patch has no drug formulation. The drug is contained in the ointment.

In addition, Woo et al does not disclose or suggest that the vinyl acetate-acrylic acid copolymer is cross-linked.

Therefore, Applicants respectfully submit that even if there might be motivation to combine the cited references, the combination would not result in the present invention, wherein the support is composed of a copolymer of vinyl acetate and acrylic acid which is cross-linked.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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